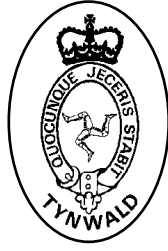


**SECOND REPORT OF THE
STANDING ORDERS COMMITTEE
FOR THE SESSION 2005-06**

**PETITIONS FOR REDRESS PRESENTED
ON TYNWALD DAY 2006**



**To The Honourable Noel Q Cringle, President of Tynwald, and
the Honourable Members of the Council and Keys in
Tynwald assembled.**

**SECOND REPORT OF THE STANDING ORDERS COMMITTEE FOR
THE SESSION 2005-06
PETITIONS FOR REDRESS PRESENTED ON TYNWALD DAY 2006**

1. INTRODUCTION

1.1 The following persons presented Petitions for Redress at Tynwald assembled at St John's on 5th July 2006:

- (1) Dennis, Mary and Martin Aram;
- (2) Robert Duncan and Ellen Ilid Baddon;
- (3) David and Laura Bridgens;
- (4) Paul Clarke and Kerry Clarke-Smith;
- (5) Carol Donlon;
- (6) Brian Douglas;
- (7) Mary Kathleen Douglas;
- (8) George Anthony Glover;

- (9) Norman Durbin Greenwood;
- (10) Michael Anthony and Helen Fraser Jackson;
- (11) Zoe Elizabeth Arnott McAndry;
- (12) John Edward Arnott and Peta Mavis Boaden Morgan;
- (13) John Michael Savage and Silvia Aestel;
- (14) Philip and Louna Vermeulen;
- (15) Paul and Juana Warburton;
- (16) Carl and Rosemary Wild;
- (17) Geoffrey and Karen Sharpe;
- (18) David and Jacqueline Smith;
- (19) Margaret Bendall;
- (20) Christopher Gary Brown;
- (21) Aileen Fraser;
- (22) Margaret Rosamund Jay;
- (23) Patricia Anne Kelly, Jillian McGrath and Michelle Debnan;
- (24) John Michael Leather;
- (25) John Armstrong Maddrell (two Petitions);
- (26) Wendy Elizabeth and David Andrew Megson (two Petitions);
- (27) Jane Allan Rainey;
- (28) Brian Alfred Smith; and
- (29) Donald Whittaker (two Petitions).

1.2 In accordance with Standing Order 6.8(2) we report on whether the Petitions are in order. Copies of the Petitions are annexed.

2. PROCEDURE

- 2.1 Before examining each Petition, we feel it is appropriate to make a few general comments on the presentation of Petitions for Redress of Grievance. Standing Orders are explicit about the basic requirements of petitions - those requirements may seem somewhat technical and possibly legalistic, but they are requirements which are neither unduly onerous, nor obscure. Moreover, the Clerk of Tynwald's Office produces an explanatory memorandum to assist the potential petitioner to comply with the requirements of Standing Orders. The Clerk of Tynwald and his colleagues make their time and experience available to assist prospective petitioners to produce petitions which comply with the basic requirements of Standing Orders.
- 2.2 In the light of such assistance, we can see no reason for failure to comply with the basic requirements of Standing Orders. If prospective petitioners do not take up the assistance offered, they may find that their petitions fail.
- 2.3 Standing Order 6, which deals with Petitions, and on which the Committee bases its decisions, is reproduced below -

VI: PETITIONS AND MEMORIALS

1. General

Petitions and memorials

- 6.1 *Every Petition or memorial shall be printed or typewritten and shall, save as otherwise provided -*
- (1) *be headed "In Tynwald" and addressed "To the Honourable Members of Tynwald Court".*
 - (2) *be in English or, if accompanied by an English translation certified by the petitioner, in Manx;*
 - (3) *set out the name and address of the petitioner or memorialist;*
 - (4) *be respectful, decorous and temperate;*
 - (5) *contain no reference to any debate in Tynwald or a Branch, nor to any Bill, nor to any intended motion unless notice of such motion stands upon the Order Paper of Tynwald;*
 - (6) *contain no application for any sum relating to public service, or for compounding any debts due to the Crown, or for the remission of duties payable by any person;*

- (7) *contain no erasure or alteration unless the same is specially referred to after the prayer and before any signatures;*
- (8) *contain a prayer;*
- (9) *be signed by the petitioner or memorialist or an advocate (or, in the case of a corporation aggregate, be executed in any manner authorised by the Companies Acts 1931 to 1992) on the page on which the prayer appears, the prayer being repeated on each page which bears signatures;*
- (10) *be forwarded to the Clerk of Tynwald in duplicate -*
 - (a) *in the case of a public Petition and of a private Petition not less than 14 days, and*
 - (b) *in the case of a memorial, except for good and sufficient cause shown, not less than three days*
before the day appointed for the sitting of Tynwald at which such Petition or memorial is to be presented.

2. Public Petitions

Presentation of public petitions

6.2 *A Member, who is not one of the petitioners, may present a public Petition.*

Public Petitions not to be debated

- 6.3** (1) *In presenting a public Petition a Member shall be confined to a statement of the persons from whom it comes, of the number of signatures which are attached to it and to the reading of the Petition and prayer.*
- (2) *When a public Petition is presented no debate shall be allowed.*

Printing Public Petitions

6.4 *On the presentation of a public Petition a motion may be made that it be printed with the minutes; the motion shall be put, without any amendment or debate.*

3. Petitions for Redress

Petition may be presented on Tynwald Day

6.5 *A Petition for Redress may be presented at Tynwald only when assembled at St John's.*

Mode of presentation

6.6 (1) *A Petition for Redress may be presented at the foot of the Hill by the petitioner or a person authorised by the petitioner; such authorisation shall appear in the Petition.*

A Petition for Redress may also be presented on behalf of a petitioner by a Member.

- (2) *A petitioner presenting a Petition shall approach the Hill by the processional path.*
- (3) *No Petition for Redress may be presented at the foot of the Hill by more than three persons.*

Petition to be handed to Governor

- 6.7** (1) *If presented by a petitioner a Petition for Redress shall be handed by the petitioner at the foot of the Hill to the Clerk of Tynwald who shall forthwith deliver the Petition to the Governor.*
- (2) *On delivery of the Petition to the Governor, the petitioner shall return along the processional path.*
- (3) *If presented by a Member, a Petition for Redress shall be handed forthwith by the Member to the Governor.*

Reference to Standing Orders Committee

- 6.8** (1) *The Governor shall, on receipt of a Petition for Redress refer the Petition to the Standing Orders Committee.*
- (2) *It shall be the duty of the Standing Orders Committee to examine every Petition for Redress to ascertain whether it is in order, and report to Tynwald.*

No reading of or address on Petition on Hill

- 6.9** *A Petition for Redress shall not be read, nor shall any Member speak to it in Tynwald, until the Petition for Redress has appeared on the Order Paper.*

Requisites of Petitions

- 6.10** *Standing Order 6.1, except paragraphs (5) and (10), shall apply to a Petition for redress.*

Contents of Petitions

- 6.11** *Every Petition for Redress must -*

- (a) *relate to a matter of public interest;*
 - (b) *relate to a matter falling within the province of Tynwald;*
 - (c) *contain no reference to any matter capable of adjudication upon by the High Court or any tribunal or arbitration, or any formal officially recognized complaints procedure, unless the Petition shows that in the particular circumstances it is not reasonable to expect the petitioner to resort, or to have resorted, to such remedy;*
 - (d) *contain no reference to any matter the substance of which has been determined by Tynwald in the current Session.*
- 6.12** *A Petition for Redress which is in order but which has not been the subject of a resolution for its investigation by a Select Committee of Tynwald within five years following the end of the month in which it has been presented on Tynwald Hill shall be deemed to have lapsed and shall cease to be before the Court (whether or not a general election to the House of Keys shall have taken place within that period).*

3. **PETITIONS PRESENTED ON 5TH JULY 2006**
- 3.1 **Dennis, Mary and Martin Aram:**
Your Committee finds this Petition to be in order.
In Order.
- 3.2 **Robert Duncan and Ellen Ilid Baddon:**
Your Committee finds this Petition to be in order.
In Order.
- 3.3 **David and Laura Bridgens:**
Your Committee finds this Petition to be in order.
In Order.
- 3.4 **Paul Clarke and Kerry Clarke-Smith:**
Your Committee finds this Petition to be in order.
In Order.
- 3.5 **Carol Donlon:**
Your Committee finds this Petition to be in order.
In Order.
- 3.6 **Brian Douglas:**
Your Committee finds this Petition to be in order.
In Order.
- 3.7 **Mary Kathleen Douglas:**
Your Committee finds this Petition to be in order.
In Order.
- 3.8 **George Anthony Glover:**
Your Committee finds this Petition to be in order.
In Order.
- 3.9 **Norman Durbin Greenwood:**
Your Committee finds this Petition to be in order.
In Order.
- 3.10 **Michael Anthony and Helen Fraser Jackson:**
Your Committee finds this Petition to be in order.
In Order.
- 3.11 **Zoe Elizabeth Arnott McAndry:**
Your Committee finds this Petition to be in order.
In Order.
- 3.12 **John Edward Arnott and Peta Mavis Moaden Morgan:**
Your Committee finds the Petition to be in order.
In Order.
- 3.13 **John Michael Savage and Silvia Aestel:**
Your Committee finds this Petition to be in order.
In Order.

- 3.14 Philip and Louna Vermeulen:**
Your Committee finds this Petition to be in order.
In Order.
- 3.15 Paul and Juana Warburton:**
Your Committee finds this Petition to be in order.
In Order.
- 3.16 Carl and Rosemary Wild:**
Your Committee finds this Petition to be in order.
In Order.
- 3.17 Geoffrey and Karen Sharpe:**
Your Committee finds this Petition to be in order.
In Order.
- 3.18 David and Jacqueline Smith:**
Your Committee finds this Petition to be in order.
In Order.
- 3.19 Margaret Bendall:**
Your Committee finds this Petition to be in order.
In Order.
- 3.20 Christopher Gary Brown:**
Your Committee finds this Petition not to be in order. Standing Order 6.11 (c) requires that a petition should not contain reference to a matter capable of adjudication by the High Court or any tribunal or arbitration, or any formally recognised complaints procedure. The petition relates to a matter which is currently the subject of proceedings before the High Court and is therefore premature.
Not in Order.
- 3.21 Aileen Fraser:**
Your Committee finds this Petition to be in order.
In Order.
- 3.22 Margaret Rosamund Jay:**
Your Committee finds this Petition to be in order.
In Order.
- 3.23 Patricia Anne Kelly, Jillian McGrath and Michelle Debnan:**
Your Committee finds this Petition to be in order.
In Order.
- 3.24 John Michael Leather:**
Your Committee finds this Petition to be in order.
In Order.
- 3.25 John Armstrong Maddrell (first Petition):**
Your Committee finds this Petition to be in order.
In Order.

- 3.26 **John Armstrong Maddrell (second Petition):**
Your Committee finds this Petition to be in order.
In Order.
- 3.27 **Wendy Elizabeth and David Andrew Megson (two petitions):**
Your Committee finds both petitions to be in order.
In Order.
- 3.28 **Jane Allan Rainey:**
Your Committee finds this Petition to be in order.
In Order.
- 3.29 **Brian Alfred Smith:**
Your Committee finds this Petition to be in order.
In Order.
- 3.30 **Donald Whittaker (two petitions):**
Your Committee finds both petitions to be in order.
In Order.

4. GENERAL OBSERVATIONS

- 4.1 Your Committee is pleased to note that many of the petitioners had availed themselves of the opportunity to discuss the presentation of petitions with the Clerk of Tynwald prior to Tynwald Day.
- 4.2 Your Committee notes that no fewer than eighteen of the thirty two Petitions received concerned the same matter and that they were identical in every respect. Your Committee understands the strength of feeling which these Petitions represent but feels that it is unnecessary for so many petitions to be presented upon the same matter.

J A Brown (Chairman)
P M Crowe
H Hannan
E G Lowey

July 2006

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